

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-6, 10-15, 19-22, and 24-30 are presently pending in this case.

In the outstanding Official Action, Claims 1-6, 10-15, 19-22, and 24-30 were rejected under 35 U.S.C. §103(a) as unpatentable over Yuji (Japanese Patent Publication No. 2003-173278) in view of Eide et al. (U.S. Patent No. 6,243,774, hereinafter “Eide”).

The outstanding rejection is respectfully traversed.

Claim 1 recites in part:

copying means for copying data from an external storage medium;  
data attribution detection means for detecting attribution of storing-target data;  
control means for setting deletion-target priority of said data based on said attribution, ***said control means setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from a compact disk.***

The outstanding Office Action conceded that Yuji does not describe this feature, and cited Eide this as describing this subject matter.<sup>1</sup> Eide describes a computer 300 including a main storage 304. Main storage 304 contains both “swappable” and “non-swappable” information. However, the determination that something is “swappable” or “non-swappable” has nothing to do with the source of the data. Column 19, lines 29-42 of Eide states:

Information that is capable of being swapped into and out of main storage 304 is referred to herein as "swappable" information, as it is this information that is capable of being paged in or out of the main storage. ***Some information, however, that is critical to certain processes in a computer may need to be accessible at all times. Such information is referred to herein as "non-swappable" information,*** which can include information that is continuously maintained in main storage 304, e.g., in a non-swappable area thereof; information that is stored in other memory devices in apparatus

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<sup>1</sup>See the outstanding Office Action at pages 4-5.

300, e.g., in a read-only memory (ROM) for SPCN 308; and/or information such as program code that is executed by other processors in the apparatus, e.g., in a dedicated processor for SPCN 308.

(Emphasis added.)

Accordingly, Eide will designate information critical to processes in the computer to be “non-swappable” whether or not it comes from a compact disk. Thus, Eide does not describe any means that identifies as swappable all data copied from a compact disk. Therefore, it is respectfully submitted that the proposed combination does not teach or suggest “control means” as defined in Claim 1. Consequently, Claim 1 (and Claims 2-6 dependent therefrom) is patentable over Yuji in view of Eide.

Claims 10 and 19 recite in part:

copying data from an external storage medium;  
detecting attribution of storing-target data;  
setting deletion-target priority of said data based on said attribution, ***said setting including setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from a compact disk.***

As noted above, Eide will designate information critical to processes in the computer to be “non-swappable” whether or not it comes from a compact disk. Eide does not describe identifying as “swappable” all data copied from a compact disk. Therefore, it is respectfully submitted that Eide does not teach or suggest “determining deletion-target priority” as defined in Claims 10 and 19. Consequently, Claims 10 and 19 (and Claims 11-15 and 20-22 dependent therefrom) are also patentable over Yuji in view of Eide.

Claim 24 recites in part:

a copying unit configured to copy data from an external storage medium;  
a data attribution detection unit configured to detect attribution of storing-target data;  
a control unit configured to set deletion-target priority of said data based on said attribution, ***said control unit configured to set said deletion-target priority of said data to***

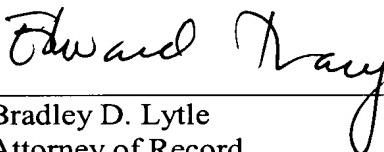
***high for all data with attribution of said data showing that  
said data is content copied from a compact disk.***

As noted above, Eide will designate information critical to processes in the computer to be “non-swappable” whether or not it comes from a compact disk. Eide does not describe any unit configured to add a “swappable” attribute to all data copied from a compact disk. Thus, it is respectfully submitted that Eide does not teach or suggest “a control unit” as defined in Claim 24. Consequently, Claim 24 (and Claims 25-30 dependent therefrom) is patentable over Yuji in view of Eide.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

  
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Edward W. Tracy

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Edward W. Tracy, Jr.  
Registration No. 47,998

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 07/09)